

04/14/98

15596 U.S. PTO

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

MEYERS ET AL.

Attorney Docket No. I/6412-554/D1

Serial Number: To be assigned

Group Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: HOG CHOLERA VIRUS VACCINE AND DIAGNOSTIC

Corresponding to:

USSN 08/873,759, filed June 12, 1997, which is a continuation of USSN 08/462,495, filed June 5, 1995, which is a divisional of USSN 08/123,596, filed September 20, 1993, which is a continuation of USSN 07/797,554, now abandoned, which is a continuation-in-part of USSN 07/494,991, filed March 16, 1990.

37 C.F.R. 1.53(b) DIVISIONAL  
PATENT APPLICATION TRANSMITTAL LETTER

Assistant Commissioner of Patents  
Washington, D.C. 20231

April 14, 1998

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR 1.53(b) of pending prior application Serial Number 08/873,759 filed June 12, 1997 by Gregor Meyers, Tillman Rumenapf, and Heinz-Jurgen Thiel originally entitled HOG CHOLERA VIRUS VACCINE AND DIAGNOSTIC.

☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it is a true copy.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 ☐ is enclosed ☐ was filed in the prior application and such status is still proper and desired.

☒ The fee is calculated below:

Claims as Filed in the Prior Application, Less any claims Cancelled by Amendment Below:

FOR:	NO. FILED	NO. EXTRA	RATE	FEE.
BASIC FEE				\$790.00
TOTAL CLAIMS	9-20	0	X\$22	\$ 0
INDEP CLAIMS	5- 3	2	X\$82	\$164.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+\$270	\$ 0
				TOTAL \$954.00

☒ Please charge my Deposit Account No. 02-2334 in the amount of \$954.00.

☒ Please charge any additional filing fees required or credit any overpayment to Deposit Account No. 02-2334.

☒ Cancel in the application original claims 1 - 7 and 9 - 13 of the prior application before calculating the filing fee.

☒ Amend the specification by inserting before the first line the sentence: This is a ☐ continuation, ☒ division, of application USSN 08/873,759, filed June 12, 1997, which is a continuation of USSN 08/462,495, filed June 5, 1995, which is a divisional of USSN 08/123,596, filed September 20, 1993, which is a continuation of USSN 07/797,554, now abandoned, which is a continuation-in-part of USSN 07/494,991, filed March 16, 1990. --

☒ Transfer the drawings from the prior application to this application and abandon prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

☒ New ☐ informal ☒ formal drawings are enclosed.

☒ The benefit of priority under 35 USC 119 is claimed of the filing date of March 19, 1989, (European) 89.104921.5. A certified copy of the priority document is of record in the parent application.

Express Mail No.  
EL041880454US

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[X] This application is assigned to Akzo Nobel N.V. by virtue of an assignment in the parent application which was recorded June 12, 1997, at Reel 8605, Frame 0926 of the Patent and Trademark Office assignment records.

[X] Address all future communications to:  
William M. Blackstone  
AKZO NOBEL PATENT DEPARTMENT  
1300 Piccard Drive, Suite 206  
Rockville, MD 20850

[ ] Applicants hereby petition that the period for response to the Official Action dated \_\_\_\_\_, 198\_, in patent application Serial No.06/\_\_\_\_\_, be extended, if necessary, to the filing date of the present continuation application. The fee for any such extension may be charged to our Deposit Account No. 02-2334.

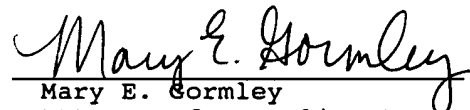
[X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

[ ] Also enclosed:

[X] I hereby verify that the attached papers are a true copy of the prior application Serial No. 08/462,495 as originally filed on June 5, 1995.

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
Mary E. Gormley  
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